

# Legislative Update: 2003

## Motor Vehicle Code/Commercial Vehicle Violations:

### **SCHOOL CROSSING GUARDS**

([MCL 257.57b](#)) Adjusts age requirement of school crossing guards to 17 from 18 years of age. Effective: November 25, 2003

### **PARKING BRAKE REQUIREMENT**

([MCL 257.676](#)) Eliminates setting of parking brakes requirement in automobiles with automatic transmissions. Effective: October 17, 2003

### **CONSTRUCTION ZONE INJURY/DEATH**

([MCL 257.601b](#)) Changes requirements of underlying moving violation in crime of injuring or causing death to worker in a construction zone from a violation with criminal penalties to a 3-point violation. Effective: April 1, 2004

### **CONSTRUCTION ZONE DEFINITION**

([MCL 257.79d, 257.320a, and 257.627](#)) Revises definition of construction zone to mean an area of a street or highway in which construction, maintenance, or utility work activities are being conducted. Creates three types of work zones. Effective: April 1, 2004

### **REGISTRATION PLATE PENALTIES**

([MCL 257.255](#)) Revises penalties for driving with no registration plate or expired registration on a non-commercial vehicle from misdemeanor to civil infraction. Effective: September 1, 2003

### **ILLEGAL HANDICAPPED PARKING**

([MCL 257.907](#)) Increases civil fine to not less than \$100 or more than \$250 for illegally parking in a designated space for handicapped use. Effective: October 1, 2003

### **DRUNKEN DRIVING PENALTIES**

([MCL 257.625 et seq.](#)) Establishes penalties and sanctions for operating a vehicle while intoxicated at 0.08 grams from 0.10 grams (.08 is per se UBAC), retains a charge of operating while impaired, and adds zero tolerance for any presence of illegal drugs in system. Effective: September 30, 2003

### **TOWNSHIP SPEED LIMIT INPUT**

([MCL 257.628](#)) Allows input by townships in setting certain speed limits. Requires unanimous decision between Township, County Road Commission, and MSP before speed limit is changed. Effective: July 22, 2003

### **SPEED LIMIT INPUT**

([MCL 257.628](#)) Allows townships to opt out of the speed limit process. Effective: July 22, 2003

### **ACCIDENT REPORT REQUIREMENT**

([MCL 257.622](#)) Increases amount of property damage to require a traffic accident report from \$400 to \$1000. Effective: January 1, 2004

### **TRUCK TIE-DOWNS**

([MCL 257.719 & 257.720](#)) Revises tie-down requirements for trucks hauling logs or tubular products under certain circumstances. Allows for "crib trucks" to weigh more and be longer only if 23 U.S.C. 127 is amended to allow the same provisions for crib vehicles and a waiver of the tie-down requirements under 49 C.F.R. 393.116 is authorized by the United States Department of Transportation, Federal Motor Carrier Safety Administration. Effective: August 5, 2003

## **New Meth Laws:**

### **ILLEGAL DRUG LABS**

([MCL 125.485a](#)) Requires sites of clandestine labs for illegal drug manufacturing to have inspections for contamination. Effective: April 1, 2004

### **PSEUDOEPHEDRINE POSSESSION**

([MCL 333.17766c](#)) Prohibits possession of more than 12 grams of pseudoephedrine alone or in a mixture. Effective: April 1, 2004

### **METHAMPETAMINE EQUIPMENT**

([MCL 333.7401c](#)) Increases penalties for possessing equipment for manufacturing methamphetamine to 20-years imprisonment. Effective: April 1, 2004

### **ANHYDROUS AMMONIA TRANSPORT**

([MCL 750.502d](#)) Establishes the offense of transporting anhydrous ammonia in a non-approved container as a felony. Effective: April 1, 2004

## **Miscellaneous Laws:**

### **HEALTH CARE MISDEMEANOR**

([MCL 750.430](#)) Creates misdemeanor for licensed health care professional who engages in the practice of his or her profession with bodily alcohol content of .08 or more. Effective: March 30, 2004

### **HIT AND RUN WITH A WATERCRAFT**

([MCL 324.80134a](#)) Prohibits and provides penalties for failure to stop at the scene of crash involving watercraft and resulting in serious injury or death. Effective: April 1, 2004

### **SEXUALLY EXPLICIT MATERIAL**

([MCL 722.671, 722.673, 722.675, 722.676, and 722.677](#)) Includes allowing a minor to examine disseminating sexually explicit in obscenity crimes and requires businesses to display sexually explicit matter only in restricted areas. Effective: January 1, 2004

### **ELECTRONIC SEARCH WARRANT**

([MCL 780.651](#)) Allows issuance of search warrant by district court magistrate or judge by electronic or electromagnetic means of communication. Effective: October 17, 2003

### **THROWING OBJECTS AT VEHICLES**

([MCL 750.394](#)) Creates aggravated penalties for throwing a missile or object at a vehicle causing property damage, injury, and death. Effective: January 1, 2004

### **IMPROPER DISPOSAL OF HUMAN BODY**

([MCL 750.160c](#)) Failure of a funeral home, crematorium, or cemetery to make final disposition of a dead human body after more than 60 days, but less than 180 days, is a misdemeanor. Failure to make final disposition after more than 180 days is a 10-year felony. Effective April 1, 2004

### **AUTOPSY PHOTOGRAPHS**

([MCL 333.2855a](#)) Prohibits public display of autopsy photographs of deceased persons, unless display conforms to certain restrictions. Effective March 31, 2004

### **OFFICER IMPERSONATION PENALTIES**

([MCL 750.215](#)) Increases penalties for impersonating a police officer. Effective: September 1, 2003

### **FINGERPRINTING**

([MCL 28.425b](#)) Allows local police departments to charge a fee if that agency is providing fingerprint service for CCW applicants. Effective: July 1, 2003

**E-MAIL ADVERTISEMENTS**

Regulates the transmission of electronic mail advertisements. Effective: September 1, 2003

**SNOWMOBILE PEACE OFFICER**

([MCL 324.82101](#)) Provides definition of peace officer for enforcement of snowmobile violations.

Effective: July 14, 2003

## **Anti-Terrorism Legislation:**

**HARMFUL ELECTRONICS**

([MCL 750.200h](#)) Defines "harmful electronic or electromagnetic device". Effective: January 1, 2004

**HARMFUL ELECTRONICS**

([MCL 750.200i et seq.](#)) Prohibits manufacture, delivery or possession of harmful electronic or electromagnetic devices. Effective: January 1, 2004

**CREDIT UNION FILING REQUIREMENT**

([MCL 490.16c](#)) Clarifies credit union filing requirement with an agency of the federal government and/or Department of State Police for suspicious activities. Effective: July 29, 2003

**SUSPICIOUS FINANCIAL ACTIVITY**

([MCL 487.14406](#)) Clarifies bank filing requirements with an agency of the federal government and/or Department of State Police for suspicious activities. Effective: July 29, 2003

**SAVINGS BANK FILING REQUIREMENT**

([MCL 487.3514](#)) Clarifies savings banks filing requirements with an agency of the federal government and/or Department of State Police for suspicious activities. Effective: July 29, 2003

**SUSPICIOUS FINANCIAL ACTIVITY**

([MCL 491.1135](#)) Clarifies savings and loans associations filing requirements with an agency of the federal government and/or Department of State Police for suspicious activities. Effective: July 29, 2003